

REMARKS

I. General Remarks

With this Amendment, Applicants add new Claims 11-15. Therefore, Claims 1-15 are all the claims currently pending in the present application.

The Examiner has acknowledged Applicants' claim to foreign priority and the receipt of the certified copy of the priority document. The Examiner has also returned signed and initialed copies of the PTO-Forms 1449 filed with the November 20, 2001 and May 7, 2003 IDSs.

However, Applicants note that the Examiner has failed to return a duly signed and initialed copy of the PTO-Form 1449 filed with the IDS of January 16, 2001. Therefore, Applicants respectfully request that the Examiner return a signed and initialed copy of this form with the next correspondence.

Claim Rejections and Objections. Claims 1, 6, 7, and 10 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Nakajima, U.S. Patent NO. 6,701,011 ("Nakajima"). Claims 2-5, 8, and 9 stand objected to as dependent on rejected base claims. However, the Examiner has indicated that these claims contain allowable subject matter and would be allowed if re-written into independent form, incorporating all of the limitations of the claims from which they depend.

II. Claims 1, 6, 7, and 10

With respect to the Examiner's §102(e) rejection of Claims 1, 6, 7, and 10, Applicants respectfully traverse the rejection, for the reasons discussed below.

In general, there is a significant difference between the presently claimed invention and that described in Nakajima. According to the present invention, portions, or “objects,” within an input image can be processed, separately from the input image as a whole, in order to correct variations in colors. For example, the skin color of a person depicted in an input image can be processed to more closely resemble a true skin tone, without also affecting other portions of the input image. In contrast, Nakajima is directed to an apparatus and method for processing input images wherein an entire image is processed as a whole. (*See* Nakajima, abstract, description of the first embodiment, and col. 10, ln. 64 to col. 11, ln. 1). For example, the second embodiment of Nakajima teaches a user being able to select an object to be processed from among a photograph, graphics, and text. (Col. 10, lns. 46-52). However, even according to those embodiments of Nakajima that describe the user selecting an object to be processed, the objects that the user is able to select from are only a photo, graphics, and text. (*Id.*). There is no disclosure or teaching anywhere in Nakajima of an ability to process only a portion of a photographic image, as claimed. The “object” referred to the present invention refers to a selected portion of an input photographic image. In contrast, the “object” referred to in Nakajima is limited to one of a photo, graphics, and text.

Claim 1. Regarding Claim 1, Nakajima fails to disclose or suggest an object information memory for memorizing split hue regions, as claimed. Split hue regions, as claimed, are regions representing various sub-hues into which a hue distribution region has been divided. The Examiner refers to Figure 34 as disclosing split hue regions. However, it is clear from Figure 34, and from its description in Nakajima (col. 1, ln. 65 to col. 2, ln. 9), that the three slide bars

depicted in Figure 34, corresponding to red, green, and blue color adjustments, do not disclose or suggest split hue regions, as claimed, obtained by splitting a hue distribution region of the specific object. Therefore, Nakajima necessarily fails to disclose or suggest an object color information memory, as mentioned above, or a color correction parameter memory for memorizing color correction parameters assigned to split hue regions, as claimed.

Nakajima also fails to disclose or suggest representative color extracting means, as claimed, for extracting a representative color from a given input image. The Examiner refers to process parameter switch 132 of Nakajima as disclosing this limitation. As described, process parameter switch 132 switches the address information of the current image and of the eight surrounding images based on the adjustment of the current image in response to user input. (Col. 9, lns. 18-23). That is, when an adjustment is made to the current image, according to Nakajima, the switch 132 re-adjusts the parameters of the eight images depicted surrounding the current image, according to the new address information for each image on the general map 94. (Figure 8, col. 9, lns. 18-23). This switch is unrelated to a color extracting means, as claimed. Further, as discussed above, Nakajima fails to disclose or suggest treating or separating any portion of a photo from any other portion, and fails to disclose or suggest extracting a representative color from a given input image.

Nakajima also fails to disclose or suggest a color correction parameter determining means for determining, from memory content, an optimum color correction parameter, as claimed. According to each of the embodiments of Nakajima, the correction parameter applied to an

image is selected by a user. (*See e.g.* Abstract). Therefore, there is no disclosure or suggestion of determining an optimum color correction parameter from memory content.

For the reasons discussed above explaining the operation of Nakajima on an entire photo image, Nakajima also fails to disclose or suggest color correction processing means, as claimed, for carrying out color conversion acting upon a specific color.

Therefore, for at least the above-discussed reasons Applicants submit that Claim 1 is not anticipated by Nakajima and respectfully request that the §102(e) rejection of Claim 1 be reconsidered and withdrawn.

Claim 6. Regarding Claim 6, Applicants submit that Claim 6 is patentable at least by virtue of its dependence on Claim 1. Applicants respectfully request that the §102(e) rejection of Claim 6 be reconsidered and withdrawn.

Claims 7 and 10. Regarding Claims 7 and 10, Applicants submit that these claims are patentable over Nakajima for at least the reasons presented above with respect to Claim 1.

More specifically, regarding Claim 7, Nakajima fails to disclose or suggest: extracting a representative color; color correction parameters assigned to split hue regions; determining an optimum color correction parameter; or carrying out color correction conversion acting on a specific color, as claimed.

Regarding Claim 10, Nakajima fails to disclose or suggest: extracting a representative color from an input image; assigning color correction parameters to split hue regions;

determining an optimum color correction parameter; or carrying out color correction conversion acting on a specific color, as claimed.

Therefore, for at least these reasons, Applicants submit that Claims 7 and 10 are patentable over Nakajima and respectfully request that the §102(e) rejection of these claims be reconsidered and withdrawn.

III. Claims 2-5, 8, and 9

The Examiner has indicated that Claims 2-5, 8, and 9 stand objected to as dependent on a rejected base claim, but that these claims contain allowable subject matter. Applicants respectfully request that the re-writing of these claims be held in abeyance until Applicants' arguments regarding Claims 1 and 7, from which claims 2-5, 8, and 9 depend, have been considered by the Examiner.

VI. New Claims 11-15

Applicants have added new Claims 11-15 in order more fully to cover various aspects of Applicants' invention as disclosed in the specification.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/666,801

Q60955

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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23373

CUSTOMER NUMBER

Date: August 19, 2004